

03-01-02

Date: 2/26/02  
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I hereby certify that on the date listed above, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service in accordance with 37 C.F.R. § 1.10 as "Express Mail Post Office to Addressee," with sufficient postage in an envelope addressed to: Commissioner for Patents, Washington, DC 20231.

Trudi Thompson

Trudi Thompson

PATENT  
Docket No. 17363.35

jc997 U.S. PRO  
10/085539  
02/26/02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

### UTILITY PATENT APPLICATION TRANSMITTAL

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of inventor(s):

Wenda Carlyle  
Peiwen Cheng  
Robert L. Cafferata

For: **PEROXISOME PROLIFERATOR-ACTIVATED RECEPTOR GAMMA LIGAND ELUTING MEDICAL DEVICE**

**1. Type of Application**

This new application is for a(n)

- Original (non provisional)  
 Design  
 Plant  
 Continuation-in-part (CIP)

**2. Benefit of Prior U.S. Application(s) (35 USC §§ 119(e), 120, or 121)**

- The new application being transmitted claims the benefit of prior U.S. applications. Enclosed is a NEW APPLICATION WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) IS CLAIMED.

**3. Papers Enclosed**

A.

22 pages of specification  
4 pages of claims  
4 sheets of drawings (do not submit original drawings)  
*(complete the following, if applicable)*

- The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 CFR 1.84(b).

B. Other Papers Enclosed

3 Pages of declaration and power of attorney  
1 Pages of abstract  
       Other – Power of Attorney by Assignee

4. Declaration or oath (including power of attorney)

- Enclosed  
 Executed by inventor(s)

5. Inventorship Statement

Inventorship for all the claims in this application are:

- The same.

6. Assignment

- An assignment of the invention to \_\_\_\_\_  
 is attached.  
 was filed in parent application  
 will follow.

7. Fee Calculation

- A.  Regular application

CLAIMS AS FILED			
Number filed	Number Extra	Rate	Basic Fee
		Large Entity	37 CFR § 1.16(a)/ Large Entity \$740.00
Total Claims (37 CFR § 1.16(c))	26-20=6	6 x \$18.00=	108.00
Independent Claims (37 CFR § 1.16(b))	7-3=4	4 x \$84.00=	336.00
Multiple dependent claims(s), if any (37 CFR § 1.16(d))		+ \$280.00=	280.00

- An amendment canceling extra claims is enclosed.  
 An amendment deleting multiple-dependencies is enclosed.  
 The fee for extra claims is not being paid at this time

- B.  Design application (\$330-37 CFR§1.16(f)) \$ \_\_\_\_\_ 1464.00  
C.  Plant application (\$540-37 CFR§1.16(g)) \$ \_\_\_\_\_

8. Small Entity Statement(s)

- Applicant claims small entity status. See 37 CFR 1.27

9. Fee Payment Being Made at Time

- Not Enclosed  
 No filing fee is to be paid at this time.  
 Enclosed  
 Filing Fee \$ \_\_\_\_\_

10. Method of Payment of Fees

- A check in the amount of \$ \_\_\_\_\_ is enclosed.  
 Charge Deposit Account No. 50-1901 in the amount of \$1464.00.  
A duplicate of this transmittal is attached.

11.  Request and Certification under 35 USC §122 (b)(2)(B)(i) (Non-publication Request)

**12. Authorization to Charge Additional Fees**

*(If no fees are to be paid on filing, the following items should not be completed)*

- The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 50-1901.
- 37 CFR §§1.16(a), (f), or (g) (Filing fees)  
 37 CFR §§1.16(b), (c), and (d) (presentation of extra claims)  
 37 CFR §§1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)  
 37 CFR §§1.17(a)(1)-(5) (extension fees pursuant to §1.136(a))  
 37 CFR §§1.17 (application processing fees)  
 37 CFR §§1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR§1.1311(b))

**13. Instructions as to Overpayment**

- Credit Account No. 50-1901  
 Refund

**14. Correspondence Address**

- Customer Number. 25204

Respectfully submitted,



Louis C. Cullman  
Registration No. 39,645

February 26, 2002

OPPENHEIMER WOLFF & DONNELLY LLP  
840 Newport Center Drive, Suite 700  
Newport Beach, CA 92660  
Telephone: 949.823.6000  
Facsimile: 949.823.6100